



PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	09/735273
	<b>Filing Date</b>	December 11, 2000
	<b>First Named Inventor</b>	Edwin A. Clark
	<b>Art Unit</b>	1634
	<b>Examiner Name</b>	J. C. Switzer
	<b>Attorney Docket Number</b>	WIBL-P01-534

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-1945

i. ☒ RCE fee required under 37 CFR 1.17(e)

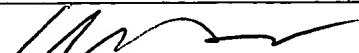
ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

<b>Name (Print/Type)</b>	Xuqiong Wu	<b>Registration No. (Attorney/Agent)</b>	55,745
<b>Signature</b>		<b>Date</b>	July 12, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7-12-04 Signature: Maura A. Gallagher (Maura Gallagher)

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<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. WIBL-P01-534
Application No. 09/735273	Filing Date December 11, 2000	Examiner J. C. Switzer	Art Unit 1634

Applicant(s): Clark et al.

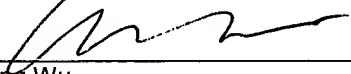
Invention: METASTASIS GENES AND USES THEREOF

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	11	- 35 =	0	x	0
Independent Claims	6	- 13 =	0	x	0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Request for Continued Examination: \$770.00					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>\$770.00</b>

- ☒ Large Entity
- ☐ Small Entity
- ☐ No additional fee is required for this amendment.
- ☒ Please charge Deposit Account No. 18-1945 in the amount of \$ 770.00.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 18-1945  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
\_\_\_\_\_  
Xuqiong Wu  
Attorney Reg. No.: 55,745  
  
ROPES & GRAY LLP  
One International Place  
Boston, Massachusetts 02110-2624  
(617) 951-7000

Dated: July 12, 2004

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Dated: <u>7-12-04</u>	Signature: <u>Maura A. Gallagher</u> (Maura A. Gallagher)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7-12-04 Signature: Maura A. Gallagher  
(Maura A. Gallagher)

Docket No.: WIBL-P01-534  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Clark, *et al.*

Confirmation No.: 3583

Application No.: 09/735,273

Art Unit: 1634

Filed: December 11, 2000

Examiner: Juliet Caroline Switzer

For: METASTASIS GENES AND USES THEREOF

**AMENDMENT**  
**TO ACCOMPANY REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This amendment is filed to accompany the Request for Continued Examination (RCE) being concurrently filed. A Notice of Appeal was received by the United States Patent and Trademark Office on May 10, 2004. Therefore, the deadline for filing a Brief on Appeal is July 10, 2004. However, since July 10, 2004 was a Saturday, pursuant to 37 C.F.R. § 1.7, a Brief on Appeal may be timely filed on Monday, July 12, 2004. In lieu of filing a Brief on Appeal, Applicants are filing an RCE.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.